

**IN THE DISTRICT COURT OF \_\_\_\_\_ COUNTY, NEBRASKA**

_____, Petitioner____,	Case No. _____
vs.	<b>DISMISSAL FOR FAILURE TO PROSECUTE DILIGENTLY</b>
_____, Respondent____.	

**DATE OF HEARING:** \_\_\_\_\_.

**APPEARANCES:**

For petitioner\_\_: [ ] None. [ ] \_\_\_\_\_.  
For respondent\_\_: [ ] None. [ ] \_\_\_\_\_.

**SUBJECT OF ORDER:** Warning of dismissal for lack of prosecution.

**FINDINGS:** The Court finds that: (1) a warning that the pleading(s) described below would be dismissed for failure to prosecute diligently was entered and served on the appropriate party(ies); (2) the party(ies) warned did not perform any of the specified acts stated in the warning or make any showing that the matter was being prosecuted diligently; and, (3) the pleading(s) is/are not being prosecuted with reasonable diligence and should be dismissed.

**ORDER:** IT IS THEREFORE ORDERED that:

1. The operative [ ]\_petition, [ ]\_counter-petition, and/or [ ]\_cross-claim is/are dismissed without prejudice.
2. [ ]\_Each party shall bear their own respective costs.  
[ ]\_Costs taxed to: [ ]\_petitioner\_\_. [ ]\_respondent\_\_.  
[ ]\_Complete record not necessary.

Signed ( [ ] in chambers) at \_\_\_\_\_, Nebraska, on \_\_\_\_\_; **BY THE COURT:**  
DEEMED ENTERED upon file stamp date by court clerk.

If checked, the court clerk shall:

- [X] Mail a copy of this order to all counsel of record and any pro se parties.  
Done on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.  
[ ] If not already done, immediately transcribe trial docket entry dictated in open court.  
Done on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.  
[ ] Note the decision on the trial docket as: [date of filing] **Signed "Dismissal for Failure to Prosecute Diligently" entered.**  
Done on \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.

\_\_\_\_\_  
William B. Cassel  
District Judge

Mailed to: